

# Queen Margaret's Legitimate Power Base at the Change of Dynasty in Scandinavia, 1387–1388

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Queen Margaret (1353–1412) was the first female monarch of Denmark, Norway and Sweden.\* Her title to the three Nordic kingdoms in 1387–1388 laid the political foundation for the Kalmar Union. On the basis of empirical data, this article argues that the accessions were legitimate, legally warranted, founded on Margaret's position as a widow in all three kingdoms, but that they were also based on political considerations. This process was driven by the councils and aristocracy in all kingdoms in accordance with the queen in order to avoid the house of Mecklenburg taking over the crowns.<sup>1</sup>

The political process started when Olav Håkonsson (Danish *Oluf*, 1370–1387), the barely seventeen-year-old king of Denmark and Norway, died without any children on 3 August 1387. His maternal cousin, Duke Albrecht IV of Mecklenburg (1362–1388), was the next in line to succeed in Denmark. In Norway, the Swedish king, Albrecht III the Young (1338–1412), had the right to inherit the crown since he was the cousin of the late King Håkon VI Magnusson (1340–1380, Olav's father). Yet, the one to take over was Olav's mother, Margaret of Denmark, queen of Norway and Sweden (1353–1412). She was also a leader of the Swedish opposition that would later overthrow King Albrecht. Since she was a woman, her election at the assembly in Scania in Lund as the authorised lady of the kingdom of Denmark and her following accession in Norway have been considered irregular. The Norwegian historian Halvdan Koht has asserted that Queen Margaret had no legal claim in Norway, other than her morning gift. He has characterized the Danish election as a coup and the Norwegian election as revolutionary, but he has not based this notion on theories of revolution.<sup>2</sup>

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Portrait of Queen Margaret (1353–1412), detail of the effigy on her tomb in Roskilde Cathedral. Image: Ristesson Ent.

The Danish historians Vivian Etting and Anders Bøgh have endorsed Koht. Bøgh has maintained that she had no legitimate basis for an expansive policy in relation to Sweden but has also taken issue with the widespread misunderstanding that Margaret inherited the kingdom of Denmark from her father, Valdemar IV Christopherson.<sup>3</sup>

The Danish election of Queen Margaret was not inevitable, nor was her ascendancy to the Norwegian throne, and without an understanding of the circumstances, the Swedish election might appear quite puzzling. However, her troops did not fight any battles during the process and no revolutionaries took control in Denmark, Norway or Sweden. The view that Margaret's accession to the thrones was the result of a Danish coup d'état, a revolutionary Norwegian Council of the Realm and that it lacked any legitimate basis in Sweden may certainly be disputed.

This article demonstrates that the various acts of election and succession were political decisions that could be legitimized by the political situation. Queen Margaret's legal precedence came from being the late king's mother and the queen dowager. In addition, she had an economic power base and she had served as guardian of her son in Denmark and Norway, while her personal suitability also played an important role.

*The foreign and domestic political situation*

The election of Queen Margaret in Denmark took place on 10 August 1387, just a week following the death of King Olav. It took a year from King Valdemar IV passing away in October 1375 before Olav Håkonsson was elected in 1376. Why the rush? The answer lies in the aspirations of the House of Mecklenburg, which were perceived as a threat to the unity of the Danish kingdom.

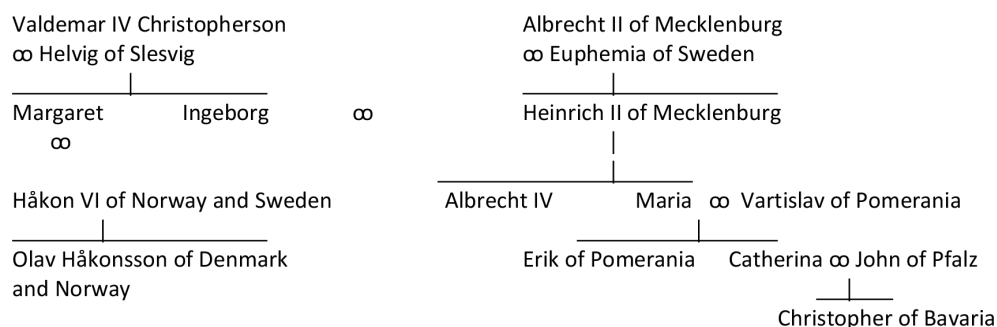
Constitutionally, Denmark was an elective kingdom, but the election of the king was obviously not entirely free. The oldest male descendant of King Christopher I had a preferential claim. There was only one man who fitted the traditional pattern: Albrecht IV, duke of Mecklenburg. He was Valdemar IV's oldest grandson by his oldest daughter and he was the cousin of the late Olav Håkonsson. Yet, in the royal election of 1376, Valdemar's younger grandson by his younger daughter had been preferred. A kind of peace with Mecklenburg was achieved through the Copenhagen Agreement of 21 September 1376. Olav's cousin Albrecht was compensated in the form of an inheritance from his maternal grandfather, the prospect of a Danish principality and a promise to succeed Olav as the king of Denmark should he die without a successor.<sup>4</sup>

However, Albrecht IV did not receive any principality. On the contrary, Duke Albrecht II the Old of Mecklenburg (1316–1379) was waiting in the wings when the privateer war was renewed in the Baltic Sea in the autumn of 1376. The war was carried out from ports outside the sphere of power of Queen Margaret and was, in some cases, controlled by Mecklenburg.<sup>5</sup> Wismar and Rostock, which were Hanseatic towns in Mecklenburg, kept their ports open to the pirates as long as the old duke was still alive. They should have denied them access when he died in 1379, but the sea continued to be unsafe and old injustices were not quickly forgotten.<sup>6</sup>

Olav Håkonsson became king of Norway when his father, Håkon VI, died in 1380. In 1386, Olav was finally acclaimed as king of Denmark in Jutland. Though not yet an adult, he was of age and called himself "king of the Danes, Slavs, Goths and Norway, and true heir to the kingdom of Sweden."<sup>7</sup> Here, tempting opportunities emerged:

The Swedish seneschal (*drots*) Bo Jonsson died on 20 August 1386. He had dominated political life for three decades and had been the largest ever holder of royal fiefs and private properties in Sweden.<sup>8</sup> He seems to have benefitted from the financial crisis after the Black Death. At the peak of royal power prior to 1350, the king had for the most part administered castles and fiefs himself. When the royal revenues then diminished greatly, both King Magnus Eriksson (1316–1374) and, later, King Albrecht mortgaged important

## Dynastic Relations Denmark and Mecklenburg



castles with substantial bailiwicks, often with all the crown's revenues. The need for amortization was seldom mentioned. The holder of a fief collected revenues as interest while he held the lien and retained the fief until the king or crown had paid the entire debt. Thus, hereditary mortgaged fiefs also represented the most common form of administration, in violation of Magnus Eriksson's *Landslag*.<sup>9</sup> Bo Jonsson had benefitted from the king's constant need for money. When he died, King Albrecht attempted to carry out a property reduction without compensation for the fiefs, which he had formerly pawned to the seneschal. However, Bo Jonsson had appointed eight secular aristocrats and the bishops of Strängnäs and Linköping as executors of his will to ensure that his properties and fiefs did not fall into the hands of the king. It seems as if this consortium partly financed the great loans to the crown.<sup>10</sup> Albrecht's attempt at property reduction resulted in rebellion and civil war.

For all practical purposes, Sweden no longer had a governing king. The executors of the will belonged to the economic and political Swedish elite and should thus be considered the foremost representatives of Sweden.<sup>11</sup> They now approached Sweden's ancient dynasty, the Folkungas, of which Olav Håkonsson was the sole survivor in the male line and a legitimate replacement for Albrecht. Olav was established in Västergötland and Värmland, which King Magnus Eriksson had retained after his defeat against Albrecht in 1365 (more below) and which had been passed down as inheritance to son and grandson. While the areas were regarded as insignificant compared with Albrecht's portion of Sweden, the implication was that the Mecklenburger would never be able to ride the complete *Erikskata*, as the newly elected medieval Swedish kings should do in order to be hailed.<sup>12</sup> King Olav and his mother were in Ystad in Scania as late as 29 July 1387.<sup>13</sup> They seem to have engaged in discussions with the executors of Bo Jonsson's will with the intention of Olav becoming the king of Sweden.<sup>14</sup> The executors encountered

a problem when King Olav suddenly died, considering that a reconciliation with King Albrecht was now out of the question.<sup>15</sup>

The interregnum also caused problems in Denmark. Not only did Queen Margaret's nephew in Mecklenburg now pose a threat as the closest male relative of the deceased king, so did his uncle, the king of Sweden. And this threat also applied to Norway, which faced an heir to the throne who was in fact an enemy. The animosity began in 1356 when Mecklenburg allied itself with Magnus Eriksson's oldest son Erik, who rebelled and demanded royal authority in Sweden. This enmity deepened when Albrecht the Young landed in Sweden in November 1363 and managed to drive Magnus Eriksson back to Västergötland and Värmland. King Magnus's attempt to reconquer the lost land in 1365 ended with his capture and his release was not secured until 1370.<sup>16</sup>

#### *Margaret's right to the Danish throne*

In Denmark, Margaret still must have had a voice as the daughter of Valdemar IV and the mother and guardian of the late king. On 10 August, the regional assembly of Scania convened in Lund and elected Queen Margaret. The witness letter tells us that the assembly had elected, accepted and designated (*keesde ok annamethe ok vtwolda*) the honourable princess and lady, Lady Margaret, the queen of Norway and Sweden, as "authorized lady" (*futmechtech fruwe*), as "master of the house" (*husbunde*) and as guardian of the entire kingdom of Denmark in every respect.<sup>17</sup> The reason for them choosing her was that she was the daughter of King Valdemar and the mother of King Olav. Presumably, this constituted a clear hereditary element, but as shall be shown below, not with regard to the kingdom. The assembly also agreed with her that they should not take any lord or chieftain or any man as king, nor take any man into Denmark, nor use the help of any man who was in any way against her without her advice and consent. The promises were not one-sided, as the queen made the same promises to them.<sup>18</sup> Probably, both parties had members of the House of Mecklenburg in mind but would not say so directly.

Queen Margaret then confirmed that the members of the assembly had the rights and privileges, which they had previously enjoyed. Thereafter, she was acclaimed, while the assembly swore a corporal oath of allegiance on the Host and promised to serve her as good men ought to serve their wife, master of the house and lord, and to continue to serve her until she resigned and referred them to the king, on whom both parties were to agree.<sup>19</sup>

There are reasons for taking a closer look at the meeting in Lund. The

assembly was not an ordinary or regular thing of the region. Whether it was a coup d'état, however, is more debatable.<sup>20</sup>

The regional assembly of Scania had been in session on 27 July.<sup>21</sup> The deputies met once every fortnight, which meant that there was a new session on 10 August. The animosity against Mecklenburg explains why the royal election took place so quickly. Normally, the election of kings took place in Viborg. As in Scania, the Jutes held their regular regional assembly on 27 July and they also met a fortnight later, on 10 August.<sup>22</sup> However, to summon a royal election of Albrecht IV at a minimum required that he was present at the event. Organizing an election of him in Viborg would take more than a week.

Although the archbishop of Lund took part in the election, the witness letter regarding the event was issued by the Norwegian archbishop who was mentioned as the first in the document, followed by the bishop of Århus, twelve knights and squires who all belonged to the Danish Council of the Realm during the reign of Olav. The witnesses, representing all of Denmark, testified that they had been present at the regional assembly in Lund when “archbishops, bishops, knights, squires, several of the men of the Danish realm and commoners from all regions of Denmark” elected Queen Margaret.<sup>23</sup>

The assembly thus consisted of all estates in Danish society and acted on behalf of the entire realm. This gave their election the constitutional form of an election for the kingdom of Denmark, not only for Scania.

It may have been a coincidence that the new archbishop of Nidaros, Vinald Henriksson, was present. He had just been appointed to his office by papal provision and had called on Norway's now deceased king to deliver his commissioning document. Nevertheless, his participation in Lund is significant. Since Olav Håkonsson was also the Norwegian king, the negotiations with the executors of Bo Jonsson's will was of major interest to Norway. Archbishop Vinald presumably took part in the negotiations together with the good men of Denmark who had belonged to Olav's council and took part in the election of Margaret. The archbishop was not a novice in political matters and had been close to the royal family from the days of Magnus Eriksson. For more than twenty years, he had been the chief of staff of the Norwegian royal bureaucracy as “royal master of the chapels” and had been a member of the Norwegian council; as the archbishop, he now ranked first as Head of Council.<sup>24</sup>

Normally, a Norwegian archbishop had no business attending the Scanian assembly, nor participating in a Danish royal election, but the witness letter explicitly mentions “archbishops”. It was appropriate that Archbishop Vinald took part in the election of Olav's successor. According to the *Landsloven* of

1274, the Norwegian national law code, the archbishop of Nidaros played a central role if there were no heirs to the Norwegian throne and a new king had to be elected. He could thus act as a guarantor for a continuing joint kingship between Norway and Denmark.

After the assembly in Scania, Margaret went to Ringsted in Zealand and was acclaimed there on 21 August. The contents of the election letter were similar to the letter from Lund, but the assembly did not pretend to act on behalf of all of Denmark.<sup>25</sup> Bøgh has maintained that due to these elections, Queen Margaret gained the strongest constitutional position of any regent in Denmark up until that time.<sup>26</sup> His reasoning is based on a new and independent argument concerning the Latin notarial instruments from the elections in Lund and Ringsted. These acts were confirmed by imperial notaries. Unlike the original witness letter regarding the election in Eastern Denmark, they did not mention anything about Margaret having promised to comply with the current constitutional foundation and the betrothal of her deceased son. However, according to Bøgh, the most important aspect is that the acts do not mention anything concerning the mutual agreement regarding the future royal election. They only mention a king whom the assemblies are to receive and elect by her will, request and advice. The aspect of inheritance is also emphasized more strongly: "they said that there was no male blood kinsman who was closer than her".<sup>27</sup> Bøgh thus concluded that with the right of inheritance on her side, she had been elected as lifelong regent with the right to appoint her own successor, avoiding to be bound by any specific constitutional basis. His claim was that the notarial acts could replace the Danish letters, whose contents Queen Margaret kept concealed. In this manner, Denmark experienced a coup.<sup>28</sup>

However, there is much contradicting this interpretation. The Danish historian Esben Albrechtsen has pointed out that this theory rests on two conditions: Bøgh's interpretation of the wording of the notarial instruments and the claim that they constituted the legal basis by which Queen Margaret should govern. It is true that according to the certificates, Margaret did not make any promises to abide by the current constitutional foundation; on this point, they are biased. But the queen did not have the authority to decide who would be the next king. In the election letters from Lund and Ringsted, the assembly and Queen Margaret had given each other mutual veto rights on the question of who should succeed her. According to the original document, this should happen with Queen Margaret's "advice and request" and with unanimous and agreed consent (*consensus consonanti*).<sup>29</sup> Moreover, leading men from the assemblies in Lund and Ringsted, including the Norwegian archbishop, announced what had happened in public

documents, which were confirmed using their seals. These documents could hardly be kept secret or be inferior to the notarial acts.

Yet one must ask why the notarial instruments were issued. The reason is probably that they were written in the interest of the outside world to be used in the exceptional situation that had arisen; that is, that none of the Nordic royal houses had a male heir.<sup>30</sup> The instruments can be compared to Håkon Jonsson's renunciation of the Norwegian crown in Latin and the letters issued in advance of Erik of Pomerania's Norwegian acclamation in 1389.<sup>31</sup>

It is mentioned above that the reason for electing Queen Margaret presented in the election letter was her being the daughter of King Valdemar and the mother of King Olav. However, it is hardly correct that the assembly at Lund applied a hereditary kingdom principle.<sup>32</sup> Let us take a closer look at an element in the title she was given, that Queen Margaret was declared *husbunde*. The term may be translated as "husband", but this does not fit in with the context. A better translation is "master of the house", who was a free man understood to be the head of the house in the meaning of a family, in this context the ruler or prince.<sup>33</sup> The female counterpart of this is lady, which had developed in legal language from the Early Middle Ages and indicates a female ruler in the general sense.<sup>34</sup> As an authorized lady, Margaret was the ruler of Denmark. When referring to her close relationship with two former kings and calling her "Master of the House", the assembly emphasised that she was the head of Denmark's royal dynasty. She thus had a better right to be their monarch than her nephew Albrecht.

More can be said with regard to Queen Margaret's inheritance, which was mentioned in 1397 in the Treaty of Kalmar. Margaret should have unfettered rule over what her father and son had bestowed upon her, together with her morning gifts in Sweden and Norway. She had the possibility to make a will for herself, which the issuers promised to uphold, except for the condition that her lands and her castles were returned free and unbound to the king. On the other hand, the Coronation Charter paid no attention to her heritage.<sup>35</sup> In light of the text in the Treaty of Kalmar, we get a better understanding of what Margaret's inheritance from her son and father in 1387 consisted of. She could not allow anyone to inherit her morning gifts, Västergötland and Bohuslän, nor the castles that she should rule over as long as she lived. Conversely, she evidently inherited the private property and lands of the Folkunga royal house, as well as the private lands of the descendants of Sverre and half of Valdemar IV's private property.<sup>36</sup>

In 1387, Queen Margaret's dowry from Denmark was still of utmost importance, but it was not mentioned then or ten years later for that matter. Bøgh has provided good reasons for why the dowry consisted of the old



principality of Halland and Samsø, which Knud Porse had received when he became duke in 1326.<sup>37</sup> When the duke died in 1330, Duchess Ingebjørg Håkonsdatter continued to retain the principality until the couple's two minor sons came of age. The Danish royal power was weak and ceased to exist during the "period of kinglessness" (1332–1340). When the sons of Knud Porse died during the Black Death, Ingebjørg continued to retain almost all of the fief. She died in 1361.<sup>38</sup> When the assembly in Lund embraced Queen Margaret as its ruler, they ensured that the fief and crown lands, which had been alienated or regarded as the king's private estate, would be returned to the control of the crown.

From Ringsted, Margaret travelled to Jutland and was present in Ribe 18–21 September. Here, she was able to announce that the dukes of Holstein had acclaimed her and had promised to take the Duchy of Schleswig from her as a fief.<sup>39</sup> The bishop of Ribe instituted a daily mass for her and her parents for all eternity. He described her as "true heir and master" in the foundation charter of the altar, thus reflecting the queen as heir of the private fortune of her father and son and as head of the dynasty.<sup>40</sup>

The Danish chancellor and historian Arild Huitfeldt (1546–1609) has maintained that Queen Margaret was also elected in Viborg, whereas the Danish historian Kristian Erslev has shown that no chronicles or annals have reported the event.<sup>41</sup> There are no election letters from the Jutland assembly in Viborg, and there should have been one had Margaret been acclaimed at Denmark's most important royal election assembly. She had been in the vicinity, she had the bishop of Ribe on her side, but the sources are silent regarding the bishops of Børglum and Viborg who were equally important in this context. She may have unsuccessfully tried to carry out an election in Viborg. However, it is more reasonable to assume that she did not attempt to do so here, given the support for Mecklenburg in Jutland as demonstrated by Bøgh. Rather, she bided her time, as she so often did; the election at the assembly of Scania was good enough and served as a substitute for an election in Viborg.

The last stop on her election tour was Odense, where she was elected and acclaimed at the Funen assembly on 26 October. Both the letter of election and the notarial instrument were written in Latin.<sup>42</sup> These letters too were probably supposed to be read outside Denmark.

We can establish that Queen Margaret's election in Denmark was not a coup, nor was it an ordinary royal election. It was only temporary, she was not elected in Viborg and the dynasty's future was the most vulnerable aspect of her office. Queen Margaret did not enjoy a strong constitutional position in Denmark. Yet, one must not overlook that those who supported her election had the unity of the Danish kingdom in mind. Margaret was

probably Denmark's most powerful feudal lord and largest landowner. Her supporters did not want to risk her waiting in the wings to retake power within the kingdom or, even worse, to establish a separate principality like the duchy of Southern Jutland. Margaret's monarchy would strengthen the unity of the kingdom. In addition, her supporters were familiar with Margaret as a regent and mentor for her son during his short life as the Danish king. She had exceptional leadership skills.

### *Queen Margaret's rights in Norway*

While Queen Margaret was elected in Denmark, Norway was a hereditary monarchy where succession took place according to a statutory hierarchy of inheritance. And sufficient time was used before the issue was settled. Although Koht has referred to Margaret's accession to the throne as revolutionary, the political situation had none of the characteristics of a revolution, nor did Norway experience a national crisis. However, the country was in a state of war with Mecklenburg, which had been revived by the insurrection in Sweden against King Albrecht.

On account of the uncertain situation with Sweden, the meeting that would decide the Norwegian succession was held in Oslo. Immediately after Christmas, Margaret thus went to Akershus Castle in Norway where, on 2 February 1388, the Council of the Realm "accepted, selected and conceived" (*anamatt, vtuallt oc vnfanget*) their high-born princess, Lady Margaret, queen of Norway and Sweden by the grace of God and true heiress and princess to the realm of Denmark as Norway's "powerful lady" (*mæktugha frwa*) and "true master of the house" (*rettan husbonnda*). As a sovereign and plenipotentiary, she should preside and reign over the kingdom of Norway and its tributary lands with full majesty throughout her lifetime.<sup>43</sup>

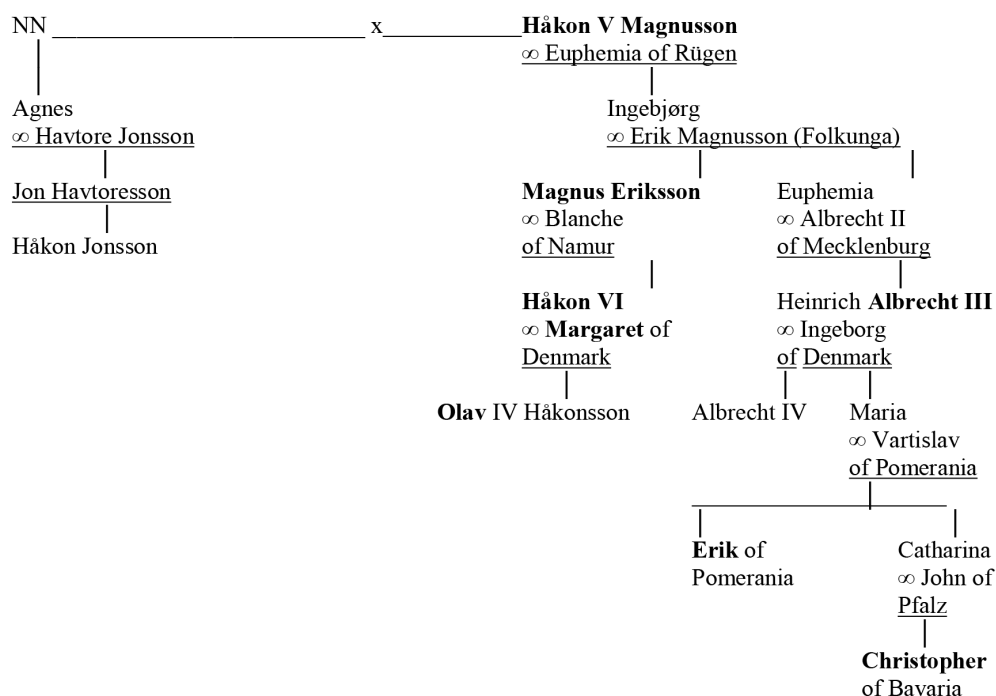
The closest model to the Council's document was the election letter from Lund and the Norwegian document has also been called Margaret's "election letter". However, as shown below, it was founded in the law of succession to the crown in the *Landsloven*. We take note of the Norwegian council *accepting, selecting* and *conceiving* Queen Margaret as their "authorized lady" in contrast to the Danish council *electing, accepting* and *designating* her. In Denmark, Margaret was empowered as monarch by the election of the assembly, while in Norway the Council accepted her rights. Moreover, the Norwegians went further than their Danish counterparts by granting Margaret her position for life. The reason was the same as in Denmark, but her father was replaced by her spouse. Thus, the Danish and the Norwegian letters differ in terms of the duration of Margaret's position, not in designation. Her position as a woman was exploited on political grounds – in

both Denmark and Norway as the king's mother, and in Denmark also as the daughter of a king and in Norway as the king's wife.

Queen Margaret's accession to the Norwegian throne has been explained extensively by the Norwegian historian Gustav Storm in his treatise *Dronning Margretes valg i Norge* (1901).<sup>44</sup> On most points, his results are still valid, while some of them need to be revised.

Storm took his point of departure in the *Landsloven*, in which the law of succession is found in the Christian law section, chapters 4–6. Chapter 5 formulates the royal hierarchy of succession using twelve classes; the thirteenth class refers to private inheritance rights but sets the condition that the one inheriting the crown should be male, not female.<sup>45</sup> According to this hierarchy, only one person was entitled to inherit the Norwegian crown in 1388, the Swedish king Albrecht the Young of Mecklenburg.<sup>46</sup> He was a son of Euphemia of Sweden (1317–1370) and Duke Albrecht the Old of Mecklenburg and was the head of the dynasty.<sup>47</sup> The choice of Queen Margaret thus appears to break with the Norwegian law of succession and with state practice. Yet, it would have been politically impossible to endorse Albrecht as king. He was an enemy of the realm and, for obvious reasons,

Descendants of Håkon V Magnusson of Norway, excerpt (Monarchs in bold).



inconceivable as a king of Norway. He is not mentioned in any documents from the meeting in Oslo.

The Council of the Realm may have found a reason for denying Albrecht's accession to the throne in chapter three of the Christian law section in the *Landsloven*, which deals with false kings. It warns against various men who have been taken as kings and are given the royal name unlawfully at the expense of the true king and contrary to St. Olav's law. It refers to the loss of both property and life, thus justifying the introduction of a detailed hierarchy of succession.<sup>48</sup> The Norwegian historian Gudmund Sandvik has described this chapter "as the chilling background to the meticulously compiled inheritance law for King Magnus and his successors. Only if no male, legitimate heir existed should a new king be elected."<sup>49</sup> Although the background of the provision is found in the Norwegian Civil Wars (1130–1240), the Council of the Realm may have considered facing a similar threat in 1388. Reasons of security were persuasive for avoiding the Swedish king and a natural inference is that the Council of the Realm defined Albrecht as a false king.

A simple practical element also entered into the equation. If Albrecht was to be acclaimed as king, it was presumed that he was present; a king could not be acclaimed with the constitutional *konungstekja* in absentia.<sup>50</sup> If he were to go to Norway, both he and his followers would be forced to travel through the area controlled by Queen Margaret: Halland and Samsø, a part of Västergötland and all of Bohuslän. Sailing up the Gulf of Bothnia and entering Norway over the mountains via Jämtland was not an option in the middle of winter. There is no trace of King Albrecht between 16 November 1387, when he was in Linköping, and 15 March 1388, when he was in Upsala.<sup>51</sup> One might object that the Norwegian Council of the Realm could have summoned Albrecht anyway. In that way, one could have obtained a reconciliation and peace. This was clearly very far from the mind of the Norwegian councillors, who considered King Albrecht an enemy who had lost his right. The question is whether Queen Margaret had a better right to the crown.

Ostensibly, the laws of succession constituted a barrier to a legal foundation for the queen. However, it can be argued that Håkon V's amendment of 1302 to the *Landsloven* on royal inheritance and governance of the realm superseded the regulations in the national law code. As it were, the Amendment allows agnatic royal inheritance, in that a royal princess born within marriage stood in the seventh class of inheritance. The absolute requirement in the *Landsloven* that the ruler of the country should be a man was not repeated. The Amendment thus formulated a new principle, that women could inherit the throne. Margaret was not the biological daughter of a

deceased Norwegian king; however, through her marriage to Håkon VI, she became the daughter of King Magnus, according to canon law. Hence, she belonged to the royal family. Still, the title to her accession to the throne was the replacement in the Amendment of the national law code's thirteenth class of inheritance: "This class of inheritance shall branch out and be stipulated from the one who most recently has been king over Norway and most recently has died." (*Skal þetta greinast oc ut skiliazst af þeim er þa hæfir nest veret konongr iuir Noreghe oc síðazst fra fæl.*)<sup>52</sup> This means that whoever is closest in inheritance without coming into the royal line of succession inherits according to the private law of the *Landsloven*. According to this, the closest heir after Olav Håkonsson was his mother. Thus, the Council of the Realm could choose Margaret as a ruler based on this authority.<sup>53</sup>

What still makes the legal understanding unclear is the status for posterity assigned to the Amendment of 1302. Storm, who edited the manuscript description in *Norges gamle Love*, has offered an exhaustive rejection of this amendment as the basis for Queen Margaret's election.<sup>54</sup> There is thus reason to more closely evaluate certain questions pertaining to the act.

The Amendment of 1302 is only found in seven manuscripts, despite seventy law books from the fourteenth century being extant, many of which were written in the later years of Håkon V or not long after his death.<sup>55</sup> Most of these law books omit the Amendment's royal line of succession completely, as it was considered obsolete.<sup>56</sup> Magnus Eriksson was born in 1316 and took precedence in inheritance from his maternal grandfather, regardless of the line of succession in the *Landsloven* or the Amendment of 1302, while a regency was highly relevant. With Karl Knutsson (king of Norway 1449–1450) and Christian I (king of Norway 1450–1481), authentic royal elections took place for the first time and it was no longer necessary to follow a hierarchy of succession. For this reason, the Amendment of 1302 was no longer copied until the Oslo humanists found it interesting in the sixteenth century. The Amendment is published in *Norges gamle Love*. The oldest manuscript is the law book from Tønsberg, *Codex Tunsbergensis*, from c. 1320, which was written for one of the guardians of the child king Magnus Eriksson.

The hierarchy of inheritance from 1302 is found in four manuscripts from the second half of the fourteenth century.<sup>57</sup> Holm no. 35 4<sup>o</sup> is a law code of which the first two sections are copied from the *Landsloven* of Frostathing. The scribe has deleted the original chapter on succession for the whole text of the Amendment of 1302 (fols 21<sup>r</sup>–26<sup>r</sup>). A second scribe has continued to copy the *Landsloven* on fol 26<sup>v</sup>, but his example is from the code of Eid-sivathing, which had placed the Amendment in the last section.<sup>58</sup> Thus, it

could be shown that the declaration of Queen Margaret as powerful was constitutionally justified.

A further argument for the Council of the Realm defining Margaret as a legal heir to the Norwegian throne is Håkon Jonsson's renunciation of any inheritance rights.<sup>59</sup> There may have been some uncertainty regarding private law. Håkon Jonsson was the grandson of Håkon V's illegitimate daughter Agnes from her marriage to Havtore Jonsson. He was the cousin of Håkon VI and was related to the late King Olav in the fourth class of inheritance. He could have belonged to the last paragraph of the inheritance law in the *Landsloven*. Håkon Jonsson was born legitimate but was descended from a bastard line in the royal family.<sup>60</sup> Even if he had had a right to inherit according to private law, the king's mother had priority over a more distant heir. Perhaps this was not as obvious outside the realm. While the so-called election letter was written in Old Norse, the witness letter concerning Håkon Jonsson's renunciation was written in Latin. This indicates that it was intended for a wider audience than just Norwegians and other Scandinavians.

Håkon Jonsson's letter of renunciation sheds light on a later source, a report from the envoys of King Henry IV of England from 1402 concerning the law of succession of the three Nordic kingdoms. This report was written in connection with the negotiations for the marriage between King Erik of Pomerania and the English Princess Philippa. The report maintains that Margaret's claim to the Norwegian crown was based on Roman law. After King Håkon, his son Olav succeeded in Norway. Queen Margaret was his mother and inherited the Norwegian crown by virtue of Tertullian's Decree of the Senate. According to this text, "a mother inherits from her son when he himself has no child and [she] supersedes all the son's agnatic relations" (*Corpus juris Civilis*, Dig. V 2 r. 15). This was possible since Norway was a hereditary monarchy.<sup>61</sup> The statement was probably based on information the English envoys had received during the negotiations concerning King Erik's marriage. Although the Council of the Realm, with Archbishop Vinald at the head, had relied on the thirteenth class of inheritance in the *Landsloven*, they could also refer to Tertullian and thus explain Queen Margaret's inheritance of her son in February 1388 to the envoys.<sup>62</sup>

Margaret's position as queen dowager was an important political and legal factor. When King Håkon died in 1380, she achieved a radically new position. As a widow, she was virtually equal with a man under private law. While both an unmarried and a married woman were subject to their nearest male relative or their husband's guardianship, widows could act independently, enter into agreements and make decisions with regard to their own lives and property. Through marriage, the queen received her

husband's rights, which she retained when he died. That is, she had a king's rank and rights and could act accordingly. But she did not step into royal office – here we need to distinguish between the civil and the constitutional law of the *Landsloven*. However, she ruled over her own prospective remarriage. And she would continue to be queen of Norway and Sweden as long as she lived.<sup>63</sup> This meant that Queen Margaret had an obvious place on the Council of the Realm, which was her son's regency council. There is a parallel here to Queen Ingeborg Plogpenningdatter (1244–1287) and the dowager duchess Ingebjørg Håkonsdatter (1301–1361), who were guardians of their sons (Eirik Magnusson, 1268–1299, Magnus Eriksson) and sat on their regency councils.

*Treason against realm and king, change of dynasty*

The major issue with the election of Queen Margaret in Denmark and her accession to the throne in Norway was the lack of a dynasty. The Danes had postponed this issue by giving her a temporary monarchical position until they jointly found a new king; the constitution of the elective monarchy allowed for this kind of creative solution. Possibly, the fact that Margaret could remarry was taken into consideration. Then her new husband would be her guardian and, in practice, king. She would retain her Danish dowry, but not her dower in Norway and Sweden. It was thus important for the Danish Council of the Realm that they consented to her choice of a new husband.

In Norway, there was a desire to preserve the constitution of the hereditary monarchy. How Margaret's succession was to be resolved must have been discussed in depth after her Danish election. This is seen in the document issued by the Council of the Realm at Akershus on 16 February 1388, a fortnight after they had chosen her. It relates that Queen Margaret herself raised the question of who was closest in line to inherit the throne. She would have preferred that her sister's son, Duke Albrecht IV of Mecklenburg, became king of Norway, but the Council of the Realm rejected him because, according to the law, he and his forefathers had antagonised the kingdom and its king and thus forfeited their right to inherit the kingdom and become kings in Norway.<sup>64</sup> The House of Mecklenburg had been an enemy of Norway since King Magnus was taken captive by Albrecht the Young in 1365. Furthermore, the father and grandfather of Albrecht IV had acted treacherously in the privateer war that started after Olav Håkonsson became king of Denmark in 1376, by using criminals, pirates, in their resistance to his election, thereby forfeiting Albrecht's rights of inheritance.

Albrecht IV died towards the end of 1388, leaving a son; however, the Norwegian succession issue is of more than academic interest.<sup>65</sup> Storm has

disagreed with the Council's resolution being titled in relation to any law; according to the hierarchy of succession, Albrecht, as Queen Margaret's nephew and closest of kin, was ninth in succession.<sup>66</sup> Absalon Taranger agreed with this, but pointed to the last paragraph of the law of succession, which penalizes anybody who is taken as king contrary to the rules of succession with outlawry and banning by the pope.<sup>67</sup> The concept of "false kings" is relevant also in this case, but attention should be drawn to the section in the *Landsloven* on legal security (*mannhelgabólkr*). Chapter three concerns cases of outlawry in which land and property are forfeited. The first decision states that no felony is more severe than treason against the realm and the king.<sup>68</sup> In other words, a man who has committed high treason is an outlaw and has forfeited all rights of life and property. Scandinavian legal historians agree that this is a clear example of a principle taken from Roman civil law, which states that the crime of treason (*crimen laesae maiestatis*) exceeds all other crimes in terms of punishment.<sup>69</sup>

The council thus declared that Margaret's grand-nephew, the son of her eldest sister's daughter and son of Duke Vartislav of Pomerania (1363–1394), was the closest heir to the Norwegian throne. He was then followed by his son, his brother, his paternal uncle or a more distant relative.<sup>70</sup> When the Council of the Realm deviated from the inheritance classes in the law of succession, precedence could be drawn from the acclamation of Håkon VI in 1343, when primogeniture was set aside.<sup>71</sup> As made evident above, an equally important authority for this deviation is found in the chapter on false kings in the *Landsloven*.

Bugislav, the son of Vartislav of Pomerania, was born about 1382 into his father's marriage to Maria of Mecklenburg (c. 1364–1402).<sup>72</sup> Maria's maternal grandfather was Valdemar IV and her paternal grandmother was Euphemia Eriksdatter, who was Magnus Eriksson's sister and a granddaughter of Håkon V (1270–1319). Thus, the little Pomeranian was not only a descendant of the Danish king Christopher I (1219–1259), but also a descendant of King Sverre of Norway (1151–1202). He was given a new name: Erik.

Why was Erik not elected directly and why was Queen Margaret chosen when the aim was to proclaim Erik as inheritor to the crown? The reason was a desire to maintain the constitution of the hereditary monarchy. As late as 1442, the generally accepted view was still that Norway was a hereditary monarchy. We saw earlier that Queen Margaret could be regarded as a legitimate heir to the throne according to the private law of the *Landsloven*. Her grandnephew's right of inheritance was logical when the succession was valid for Margaret. Erik had no right to inherit either from Olav Håkonsson or according to the *Landsloven* line of succession or the Amendment of 1302, but he was the closest heir to Margaret after Albrecht



IV was denounced as a false king.<sup>73</sup> However, the political reason was that the council wanted Queen Margaret to continue to govern as monarch and guardian of a minor king.

### *Margaret's rights in Sweden*

Finally, let us consider Queen Margaret's legitimate basis in Sweden.<sup>74</sup> The executors of Bo Jonsson's will had negotiated with Olav Håkonsson about him replacing Albrecht the Young as king of Sweden, thus having burnt their bridges with regard to Mecklenburg and cast the die into the camp of the Norwegian and Danish king. Olav's sudden death came as a shock for them as well. The Danish historian Erik Ulsig thus considered Margaret as a legitimate a choice as any other in the situation Sweden had found itself with the rebellion against King Albrecht.<sup>75</sup> Institutionally, furthermore, Margaret's legitimate basis in Sweden was unquestionable. She was still Queen of Sweden and queen dowager in the part that Magnus Eriksson had retained in 1364. The interregnum in the "Folkunga part" of the kingdom was not caused by the rebellion. Moreover, the queen had Västergötland, with a possible exception of the castles and fortresses, as her Swedish dower and had a legal right to all royal income from this region. It should not be ruled out that the Swedes who had negotiated with King Olav immediately prior to his death observed the Danish election of Queen Margaret in Lund.

Another legal factor was the preliminary Treaty of Ålholm (1366) between, on the one side, King Albrecht, Duke Albrecht the Old, Duke Henrik and Duke Magnus of Mecklenburg and, on the other hand, King Valdemar of Denmark. The Mecklenburgers ceded Gotland, Varend and Finnveden, Kind and Mark, Älvsborgs castle and fief, Hisingen and castles and fiefs that used to belong to Sweden but which King Valdemar now retained in his trust. They also guaranteed Valdemar the possession of Halland. In return, Valdemar IV promised to abstain from any further claims on Sweden.<sup>76</sup> In 1388, Queen Margaret was a party to the treaty as the successor of her son and father. It might be argued that the agreement was null and void since King Valdemar had continued to wage war. The House of Mecklenburg was allied with the Hansa in their war 1368–1369 against King Valdemar and Håkon VI of Norway, and the Danish king was never able to maintain the decisions of the treaty. However, the agreement could serve to secure Margaret the accession to the important border-fortresses and -castles in Västergötland, her Swedish dower. On 5 January 1388, before she went to Oslo, she enfeoffed the castles of Öresten in Mark and Oppensten in Southern Åsarp in Kind, both situated in Västergötland, to Algot Magnusson. The enfeoffment took place at Ekholm Castle.<sup>77</sup> Although Mark

Map (excerpt) of Denmark, Norway and Sweden, 1387–1388



The map shows place names from the text. Illustration: Peder Gammeltoft and Johnny Grandjean Gøgsig Jacobsen.

should belong to Denmark according to the Treaty of Ålholm, it had been in the possession of Bo Jonsson. Oppensten was also Danish. Duke Erik of Sachsen-Lauenburg should hand the castle over to Queen Margarete in

1376, but from 1382 it was in Bo Jonsson's possession.<sup>78</sup> Algot Magnusson had been Bo Jonsson's captain at Öresten and belonged to the circle of the executors of his will.<sup>79</sup> This change in his enfeoffments constituted a part of Queen Margaret's legal basis.

On Palm Sunday 1388, eight knights, three squires and the cantor of Linköping issued a witness letter on the comprehensive agreement they had reached with Margaret.<sup>80</sup> They declared that they had agreed to consider their dear queen, Lady Margaret, as Sweden's authorized lady and rightful Master of the House (*fulmechtich fruwæ ogh ræet husbundæ*). Acting "on behalf of us all, our friends, our relatives and helpers and the common men of Sweden", they had reached the agreement with Queen Margaret for her to attain the crown of Sweden and restore peace and order. They promised to serve her as faithful, good men should do, to never enter into agreements that would take them away from her and to not conclude a truce or peace with King Albrecht or any of her enemies. The executors gave her the authority to subdue all citizens, fortresses and lands that belonged or had belonged to the Swedish crown. The twelve men would further assist those who now lived in Norway in getting their property back. They would support Margaret as queen as long as she lived and together find a new king.<sup>81</sup>

The men of Sweden also authorized Queen Margaret to negotiate with the dukes of Holstein concerning their share in Kopparberget and to negotiate on the realm's behalf with the castellan at Kalmar Castle. She could also negotiate with the Hanseatic League and possibly confirm the rights and freedoms they had previously enjoyed in Sweden.<sup>82</sup> This was a significant issue for the Swedish kingdom but did not relate to the mortgages Bo Jonsson had received from King Albrecht.

In return for the loyalty and authorization of the men of Sweden, Queen Margaret promised them rights, freedom and privileges, to administer houses, fortresses and lands through Swedish men and to restore Sweden's landmarks. She explicitly mentioned ten of the executors of Bo Jonsson's will who would retain Nyköping, the large fief acquired by Duke Albrecht the Old as soon as his son had become the Swedish king. She also enfeoffed them with Västmanland, half of Dalarne with iron mines and half of Kopparberget, as well as Viborg with bailiwicks, but as mortgages and with full accession for herself. She promised that the men of Sweden who were still serving King Albrecht would retain their mortgages if they switched their allegiance to her, with the exception of castles. Queen Margaret promised to keep the Swedish lawbook when she had been acclaimed by every man in Sweden. However, she would not follow up on rights and privileges given by King Albrecht.<sup>83</sup>

The documents from Palm Sunday 1388 have been vividly discussed

by scholars. None of them say where the negotiations took place, but the authorization of Queen Margaret has been called the Treaty of Dalaborg, since Erik Kettilsson Puke took part and had Dalaborg as his residence. He never switched his loyalty from the Folkungas to King Albrecht, in contrast to the twelve men of Sweden. It is significant, though, that Erik Kettilsson joined the authorization of Queen Margaret in an open letter from his residence at Dalaborg on 23 March, the day after Palm Sunday.<sup>84</sup> The implication is that he was at home when the treaty was issued. The Swedish philologist Per-Axel Wiktorsson has pointed to the Norwegian castle Bohus as the most probable place for entering into the treaty.<sup>85</sup> In other words, Queen Margaret did not go to Sweden to seek power; the negotiations took place in her Norwegian dower.

The twelve men have traditionally been considered constituting the Swedish Council of the Realm. The Swedish historian Herman Schück has shown that ten of the twelve were executors of Bo Jonsson's will. They belonged to the high aristocracy; however, having rebelled against King Albrecht, they could no longer call themselves the king's councillors. Instead, they called themselves "men of the realm".<sup>86</sup> It should also be noted that seven of them were not personally present at Bohus but had empowered the negotiators to act on their behalf. In Queen Margaret's proclamation to the inhabitants of Östergötland, Tjust and Kind, only five executors were mentioned by name as the men of Sweden who had sought her and complained regarding King Albrecht's misrule.<sup>87</sup>

All the original documents would have been issued on parchment with hanging seals, but only paper copies are known to exist. Schück arrived at the conclusion that neither Queen Margaret's pledge to the executors nor the treaty had been issued on parchment in legitimate forms.<sup>88</sup>

However, none of the documents was more than agreements-in-principle. Neither the executors nor Queen Margaret had power or rights in King Albrecht's Sweden. Since the original copy was Margaret's response to the executors, it must have been in their custody, although they had no archive of their own. Three lost copies are known.<sup>89</sup> Queen Margaret's pledge was issued with her hanging seal and thus issued on parchment, according to the transcript 24 October 1389 of Birger Ulfsson and Bengt Stensson. The reason for them mentioning this is that the copy was issued on paper. The implication is that it was a legalised copy and *Diplomatarium Danicum* thus describes it as a transumpt.<sup>90</sup> Three copies of the pledge via the transumpt are known from the dioceses of Linköping, Strängnäs and Åbo.<sup>91</sup>

In his thesis, Swedish historian Michael Linton asked why the "Council" on 22 March 1388 gave Queen Margaret entitlements they would not give to King Albrecht.<sup>92</sup> The answer is simple: they had power only as executors

of Bo Jonsson's will and ruled over his extensive fiefs, which the king had mortgaged. Their authorization of Queen Margaret as their lady and master of the royal house gave them fiefs and formal power. And their coalition was widened when, on 20 May 1388, eight knights and thirteen squires joined the treaty.<sup>93</sup> At a meeting in Söderköping in October 1389, nine months after Margaret's victory over King Albrecht, the "Council of the Kingdom" had been re-established and together with a "numerous and representative assembly" now assigned extraordinary authority to the queen to levy a tax to be paid by everybody in order to cover the costs of the war, which was still going on. This also represented Margaret's definitive seizure of power.<sup>94</sup>

The Council also wanted Margaret to give assurances of her future governance during the meeting in Söderköping, a request she refused by explaining that she would never take the oath of election at Mora as prescribed in the Swedish *Landslagen*.<sup>95</sup> She was the queen-regent of Sweden and the guardian of Erik of Pomerania, and she ruled in cooperation with the Council until the king came of age.

#### *Final considerations*

The starting point for this treatise has been the contention concerning Queen Margaret's coup in 1387, the lack of legitimacy and the revolution of the Norwegian Council of the Realm. It has been demonstrated that Queen Margaret's accession to the thrones of all three Nordic kingdoms had a legitimate basis. The election in Denmark was primarily politically justified by fear of a new dissolution of the realm and an alteration of the balance of power in the Baltic. From the outset, the leading Danish politicians in Lund acted quickly to prevent an election of Albrecht IV in Viborg. Queen Margaret was only elected temporarily and it is difficult to see that she had achieved a strong constitutional position in Denmark in 1387. Still, she had all of Denmark behind her, with the exception of Mecklenburg's loyalists in Jutland.

Norway was the most consolidated of the Nordic kingdoms at the time of Olav Håkonson's death. Political institutions were intact and legislation forged under Magnus IV the Lawmender (1264–1280) was at the disposal of the Council. It was characterized by a strong and royally faithful episcopate and a small, but economically consolidated, Norwegian high aristocracy.<sup>96</sup>

A significant new result of this treatise is that the Norwegian Council of the Realm used the provision of false kings in the *Landsloven* as the basis for rejecting King Albrecht of Mecklenburg as successor to Olav Håkonsson. Contrary to previous research, it has been substantiated that Håkon V's amendment from 1302 was used for establishing Queen Margaret as the

closest inheritor to the Norwegian crown after her son. The Council could then elevate Queen Margaret to be the realm's sovereign lady and true lord.

Furthermore, we have established that high treason was used as the reason for rejecting Albrecht IV of Mecklenburg as Margaret's successor and to designate the child Erik of Pomerania.<sup>97</sup>

The Council's interpretations of the law were based on politics. The Norwegian acclamation was not a violation of the law. Nor is there anything to suggest that there was significant opposition to Margaret's accession to the throne. Furthermore, no one claimed it was a revolution or a coup.

The Norwegian designation of Erik of Pomerania to succeed Queen Margaret solved a dynastic problem for Sweden and allowed the executors of Bo Jonsson's will to enter into the agreement with Queen Margaret in the spring of 1388. The Swedish endorsement of Queen Margaret appears almost as a summons to a position. The executors came to her at her Norwegian morning gift Bohus; she did not go to them. In hailing her, they achieved a better title to the fiefs that had been in the possession of Bo Jonsson. The agreement enabled Margaret to gather troops against King Albrecht in collaboration with the aristocracy. Barely a year later, her mercenaries were victorious in the Battle of Åsle outside Falköping and captured the king.

Although the men "on behalf of all Sweden" had hailed Margaret as their authorized lady and true master of the house, the queen did not become the plenipotentiary of Sweden before the meeting in Söderköping in October 1389. She never had the same constitutional position in Sweden as in Denmark, where she had been hailed as their "authorized lady" in most regional assemblies. However, nor should Erik of Pomerania take the oath of election before he came of age in Sweden just as in Denmark.<sup>98</sup> Queen Margaret could thus serve as monarch until he was elected in 1396. This is in contrast to Magnus Eriksson, who was elected king of Sweden at Mora stenar before he was three years old and was under a formal guardianship of his mother and Swedish aristocrats.<sup>99</sup> It is also in contrast to Erik of Pomerania, who as the king of Norway was acclaimed with the traditional king-taking ritual (*konungstekja*) in Nidaros in September 1389 and crowned the king of Norway in 1392.<sup>100</sup> Queen Margaret was never acclaimed in this way.

Queen Margaret's dower and dowry have been cited as particularly important in this exposition. It was a consideration for all the Nordic kingdoms that these large and rich fiefs, which she fully legally held, were not established as a principality outside any of the realms. It was better to incorporate them into the various kingdoms. As far as Denmark was concerned, this meant that a substantial portion of the crown lands was returned home just as Queen Margaret also gained a significant inheritance from Valdemar IV. In addition, her son had landed property in Norway

and titles in Sweden that she inherited as his closest relative. It was also important for the Norwegian crown to keep the dower of Bohus – castle and fief – within the kingdom: forty per cent of landed wealth in the fief was crown property and represented more than twenty per cent of the total wealth of the crown.<sup>101</sup> The elections in 1387 and 1388 and the Norwegian accession to the throne laid the foundation for an economic and political consolidation of the realms and for the formation of the Kalmar Union.

## Summary

Dronning Margretes adkomst til de tre nordiske kongedømmer etter Olav Håkonssons død i 1387 la det politiske grunnlaget for dannelsen av Kalmarunionen. Tronskiftene er blitt ansett som irregulære og av enkelte som revolusjonære. Denne artikkelen viser at tronskiftene var legitime og hjemlet i lov. Men også Margretes stilling som enke var viktig. Hennes medgifts- og morgengavelen og hjemler til et stort arvet jordegods etter Valdemar Atterdag og sønnen Olav Håkonsson kunne blitt et betydelig fyrstelen, men ble nå lagt til kronen i Danmark og Norge. Samlingen av kongemakten på Margretes hånd var resultat av en politisk prosess og ble drevet fram i samarbeid med riksråd og aristokrati i alle tre land.

## Notes

- 1 Comparative studies on Margaret from a gender perspective: Grethe Jacobsen, “Less Favored – More Favored: Queenship and the Special Case of Margrete of Denmark, 1353–1412”, in *Less Favored – More Favored: Proceedings from a Conference on Gender in European Legal History, 12th – 19th Centuries, September 2004*, eds. Grethe Jacobsen, Helle Vogt, Inger Dübeck and Heide Wunder, København: Det Kongelige Bibliotek 2005; id., “Kingship and Gender in the Nordic Countries During the Middle Ages: Female Transmission of Power in Elective Kingship Systems”, in *La Justice des familles. Autour de la transmission des biens, des savoirs et des pouvoirs (Europe, Nouveau Monde, XIIIe–XIXe siècles)*, ed. Anna Bellavitis and Isabelle Chabot, pp 387–402. Roma 2011.
- 2 Halvdan Koht, *Dronning Margareta og Kalmarunionen*, Oslo 1956, p. 63.
- 3 Vivian Etting, *Margrethe den første: En regent og hendes samtid*, Copenhagen 1997, p. 64–65; Anders Bøgh, *Sejren i kvindens hand: Kampen om magten i Norden ca. 1365–89: With an English summary*, Århus 2003, p. 75, footnote 2.
- 4 DD 4th Series vol. I, nos 83 and 84. On principalities, see Poul Johs. Jørgensen, *Dansk retshistorie: Retskildernes og forfatningsrettens historie indtil sidste halvdel af det 17. aarhundrede*, Copenhagen 1940, pp 364–367.
- 5 Bøgh 2003, pp 183–217; Matthias Puhle, *Die Vitalienbrüder: Klaus Störtebeker und die Seeräuber der Hansezeit*, Frankfurt 2012, p. 20, with reference to Fritz Teichmann.
- 6 Wismar and Rostock were excluded when the Hanseatic towns had their privileges renewed at Bergen in 1398 and these two towns did not regain them until 1404. NGL 2: I, nos 26, 27, pp 55–58, 33, 34, 35, 68–71.

- 7 DD 4: III no. 5. Bøgh 2003, pp 277.
- 8 Sten Engström, “Bo Jonsson (Grip)”, in *Svenskt biografiskt lexikon* 5, Stockholm 1925, pp 82–91. The *Chronicle of Visby* describes the seneschal’s death in detail for 1386, Göte Paulsson, *Annales suecici medii aevi: Svensk medeltidsannalistik*, Lund 1974, pp 323–324.
- 9 Birgitta Fritz and Eva Odelman, (eds.), *Raven van Barnekows räkenskaper för Nyköpings fögderi 1365–1367*, Stockholm 1994, p. 11.
- 10 Viljo Alfred Nordman, *Albrecht, Herzog von Mecklenburg, König von Schweden*, Helsinki 1939, pp 164–166, 192–194.
- 11 Herman Schück, *Rikets råd och män: Herredag och råd i Sverige 1280–1480*, Stockholm 2005, p. 89.
- 12 Detlef Kattinger, “Jak lönthe the swenska mz sorg thz the mik hente aff måkilborgh’: Aspekte der Fremd-Herrschaft am Beispiel Albrechts von Mecklenburg in Schweden (1364–1389)”, in *Fremdheit und Reisen im Mittelalter*, eds. Irene Erfen and Karl-Heinz Spiess, Stuttgart 1997, pp 103–104.
- 13 DD 4: III no. 215.
- 14 Herman Schück, *Rikets brev och register: Arkivbildande, kansliväsen och tradition inom den medeltida svenska statsmakten*, Stockholm 1976, p. 200.
- 15 Erik Ulsig, “Dronning Margrethe og mecklenburgerne”, *Historie* 2003:1, pp 196–213.
- 16 Gustav Storm, “Dronning Margretes valg i Norge”, *Historisk tidsskrift* (Oslo) 1901: 4th Series vol. I, pp 4–5.
- 17 DD 4: III, no. 222.
- 18 Ibid.
- 19 Ibid.; Lars Hamre, “Traktat”, *Kulturbistorisk leksikon for nordisk middelalder XVIII* (1974): cols 543–545.
- 20 Cf. Koht 1956, p. 59; Aksel E. Christensen, *Kalmarunionen og nordisk politik*, Copenhagen 1980, p. 110; Bøgh 2003, p. 280.
- 21 DD 4: III no. 213. Also no. 218, a receipt without date and location from King Olav to Visby concerning its annual tax may have been issued during the same session.
- 22 DD 4: III no. 214.
- 23 DD 4: III, nos 222, 233; “Annales Scanici (Skånske Årbog)”, in *Danmarks Middelalderlige annaler*, ed. Erik Kroman, p. 74, at lines 23–24; Bøgh 2003, p. 280.
- 24 Eldbjørg Haug, *Provincia Nidrosiensis i dronning Margretes unions- og maktpolitikk*. Skriftserie fra Historisk institutt vol. 13, Trondheim 1996, p. 158 (pagination according to revised edition 2006); id., “Vinald Henriksson, archbishop of Nidaros, d.1402”, in *International Encyclopaedia for the Middle Ages–Online: A Supplement to LexMA–Online*. Turnhout: Brepols Publishers, 2008, Brepols Medieval Encyclopaedias, <http://www.brepols.net/bme>. Accessed 30 March 2010.
- 25 DD 4: III, no. 229.
- 26 Koht 1956, p. 59; Etting 1997, pp 64–65; Anders Bøgh, “Margrethes statskup”, *Siden Saxo* 1997: 2, pp 2–7; Bøgh 2003, pp 280–282, 314.
- 27 Bøgh 2003, p. 281; DD 4: III nos 233, 234.
- 28 Bøgh, *ibid.*
- 29 DD and *Danmarks Riges Breve* 4: III nos 233, 234.
- 30 Esben Albrechtsen, Review of Bøgh 2003, *Historisk tidsskrift* (Copenhagen), 2005: 1, pp 267–269.
- 31 NGL 2: I, nos 3, 8a and 8b. Eldbjørg Haug, *Margrete, den siste dronning i Sverreätten: Nordens fullmektige frue og rette husbonde*, Oslo 2000, pp 174–177. See p. 18.
- 32 Marcus Hedemann, “Unionsbrevets kongelige program og krigen om Slesvig”, *Scandia*



- 77/2011: 2, pp 38–71; id., “Var Erik af Pommerns kongemagt arvelig?” *Historisk Tidsskrift* (Copenhagen) 2017: 2, pp 595–508.
- 33 Otto Kalkar, “Ordbog til det ældre danske sprog (1300–1700)”, Copenhagen: Akademisk Forlag. Reprint, 1976, Det Danske Sprog- og Litteraturselskab online database <https://kalkarsordbog.dk/>, at “husbond(e)”, “husfru(e)”.
- 34 Lis Jacobsen, *Kvinde og Mand: En Sprogstudie fra dansk Middelalder*, Copenhagen 1912, p. 58.
- 35 ST II, 563–567; NGL 2: I, no. 22 § 9 (the Treaty); NGL 2: I, no. 21, pp 28–31 (the Coronation Charter). Herluf Nielsen, “Livgeding”, in *Kulturbistorisk leksikon for nordisk middelalder* vol. X 1965, col. 639. Also see Steinar Imsen, “Late Medieval Scandinavian Queenship”, in *Queens and Queenship in Medieval Europe*, Anne J. Duggan (ed.), Woodbridge 1997, pp 53–73.
- 36 The other half had presumably been shared between Ingeborg Valdemarsdatter’s four children, Albrecht the Young and his three sisters. See the Copenhagen Agreement, DD 4: I, nos 83 and 84. Also see Bøgh 2003, p. 75; Jakobsen 2005, p. 5.
- 37 Bøgh 2003, p. 253; Eldbjørg Haug, Review of Bøgh 2003, in *Historisk tidsskrift* (Oslo) 2006: 2, p. 309.
- 38 I will return to this in a work close to being completed.
- 39 DD 4: III no. 242, also see no. 339.
- 40 DD 4: III, no 246. Bøgh 2003, p. 75 footnote 2. For the old view, see Kr. Erslev, *Dronning Margrethe og Kalmarunionens Grundlæggelse*. Danmarks historie under dronning Margrethe og hendes nærmeste Efterfølgere 1375–1448 (2 volumes), København: Jacob Erslev, 1882, pp 61, 153. Kr. Erslev, *Dronning Margrethe og Kalmarunionens Grundlæggelse*, 2 vols., Danmarks historie under dronning Margrethe og hendes nærmeste Efterfølgere 1375–1448 (København: Jacob Erslev, 1882), 61. Kr. Erslev, *Dronning Margrethe og Kalmarunionens Grundlæggelse*, 2 vols., Danmarks historie under dronning Margrethe og hendes nærmeste Efterfølgere 1375–1448 (København: Jacob Erslev, 1882), 61. Kr. Erslev, *Dronning Margrethe Og Kalmarunionens Grundlæggelse*, 2 vols., Danmarks Historie under Dronning Margrethe Og Hendes Nærmeste Efterfølgere 1375–1448 (København: Jacob Erslev, 1882), 61.
- 41 Arild Huitfeldt, *Danmarkis Rigis Krønike*, Copenhagen 1595–1603, p. 49; Kristian Erslev, “Studier til Dronning Margrethes Historie”, *Historisk Tidsskrift* (Copenhagen) 1880–1882: 5th Series vol. 3, pp 333–372.
- 42 DD 4: III, no. 253. Thomas Riis, “Der Reichsrat in Dänemark und Norwegen 1380–1536”, in *Der Vertrag von Ripen 1460 und die Anfänge der politischen Partizipation in Schleswig-Holstein, im Reich und in Nordeuropa*, ed. Burkhard Büsing and Oliver Auge, Kieler Historische Studien 2012, p. 410.
- 43 NGL 2: I no. 1, p. 43–44.
- 44 Storm 1901, pp 1–27.
- 45 NGL II §§ 4–6, pp 25–28.
- 46 Storm 1901, p. 1.
- 47 Albrecht’s older brother, Duke Henrik III of Mecklenburg, died on 24 April 1383.
- 48 NGL II § 3, pp 24–25.
- 49 Gudmund Sandvik, “Sættargjerda i Tønsberg og kongens jurisdiksjon”, in *Samfunn Rett Rettferdighet: Festskrift til Torstein Eckhoffs 70-årsdag*, ed. Anders Bratholm, Torkel Opsahl and Magnus Aarbakke, Oslo 1986, p. 567.
- 50 Hirdskræen chap. 2–6, in *Hirdskræen: Hirdloven til Norges konge og hans håndgangne men*, ed. Steinar Imsen, Oslo 2000, pp 66–73.

- 51 Nordman 1939, pp 310. Sjøgerstad is a misreading for Valstad (*Hwalstad*) in Väster-götland. The record is issued *M CCC LXXX octavo, feria quarta infra octavam ejusdem Domini*, which in SDHK no. 13422 is dated 13 May 1388 according to *Ascensio Domini* and circumcision style, not 28 December 1387 according to *Nativitas Domini* and nativity style. Sara Risberg, Swedish National Archives, personal communication 25.04.2018.
- 52 NGL III, no. 14, pp 47–49.
- 53 Amendment on royal inheritance and governance of the realm, NGL III, no. 14.
- 54 Storm 1901, pp 1–3.
- 55 NGL III, p. 44; NGL IV, pp 425, 429, 536, 598–599, 671–673.
- 56 Storm 1901, pp 1–3.
- 57 MSS. B, C, D and E, NGL III, p. 45 footnote 1.
- 58 NGL III, p. 44; cf. NGL II, p. 25 note 4; NGL IV, p. 536; Vilhelm Gödel, *Katalog öfver Kongliga bibliotekets fornsländska och fornorska handskrifter*, Stockholm 1897, 100–04.
- 59 NGL 2: I, no. 3.
- 60 P. A. Munch, *Det norske Folks Historie: Unionsperioden II*, Christiania 1863, p. 291; Storm 1901, pp 6–7.
- 61 DN XIX, no. 650; DD 4: VIII no. 471 = Diplomatarium Danicum nr. 14020725004, online since 2010, accessed 2018-04-29+02:00, <http://diplomatarium.dk/dokument/14020725004>.
- 62 Ernst Andersen, “Romerretten som jus commune i kristenheden”, *Historisk Tidsskrift* (Copenhagen) 1974, pp 213–218.
- 63 Rigmor Frimannslund, Gösta Hasselberg, Stig Iuul and Ólafur Lárusson, “Enke”, *Kulturhistorisk leksikon for nordisk middelalder* 1958: III, 681–685; Lars-Olof Larsson, *Kalmarunionens tid: Från drottning Margareta till Kristian II*, Stockholm 1997, pp 102, 111; Haug 2000, pp 122, note 128.
- 64 NGL 2: I no. 2, 7–8.
- 65 Bøgh 2003, p. 174.
- 66 Storm 1901, pp 13, 24–25.
- 67 Absalon Taranger (ed.), *Norges gamle Lover*, 2nd Series vol. I, p. 8 note 2.
- 68 The *Landsloven* IV § 3, 1 (on úbotamál, non-compensable crimes), NGL II, 49–50. Cf. Erik’s Law of Zealand: “This you should also know, that a man may not forfeit his own land for any reason unless he leaves the realm and with foreign army enters his own realm and devastates it. Then he has forfeited every penny he has within the realm, both land and other goods, to the king, because this is what is called shield-brandishing against the realm.” Book II chap 27, in *The Danish Medieval Laws: The Laws of Scania, Zealand and Jutland*, ed. Ditlev Tamm and Helle Vogt, London, New York 2016, p. 175.
- 69 Dig. Lib. XLVIII, tit. IV *Ad legem Juliam maiestatis; Ulpianus libro octavo disputationum* § 11. Ole Fenger, *Romerret i Norden*, Copenhagen 1977, pp 78, 81.
- 70 NGL 2: I, no. 2.
- 71 Koht 1956, pp 62–64; Gottfrid Carlsson, “Erik Pomrarens väg till kungavärdighet i Norden”, *Historisk tidskrift* (Stockholm), 1957, pp 42–47. About archiving, see Schück 1976, pp 110–111, 118.
- 72 On 11 June 1396 Erik was elected king of Sweden, and was then “a boy of fourteen years or somewhat more” (*puer quatuordecim annorum vel modicum plus*), Clas Gejrot, *Vadstenadiariet: Latinsk text med översättning och kommentar*, Stockholm, Kungl. Samfundet för utgivande av handskrifter rörande Skandinaviens historia 1996, 64 notice 89.
- 73 NGL III, no. 14.
- 74 Bøgh 2003, pp 169, 315.
- 75 Ulsig 2003, pp 196–213.

- 76 ST II nos 374 A, 374 B; DD 3: VII nos 407, 408; DS nos 7391, 7392. Lars-Olof Larsson, *Det medeltida Varend: Studier i det smäländska gränslandets historia fram till 1500-talets mitt*. Lund 1964, 136–142.
- 77 ST II no. 411; DD 4: III no. 314.
- 78 Birgitta Fritz, *Hus, land och län: Förvaltningen i Sverige 1250–1434*. Stockholm 1973, p. 70; Christian Lovén, *Borgar och befästningar i det medeltida Sverige*, Stockholm 1996, pp 119, 123.
- 79 Hans Gillingstam, “Sture (sjöbladsätten), släkt”, in *Svenskt biografiskt lexikon* 34/2017, p. 68, <https://riksarkivet.se/sbl>, accessed 2017-09-13.
- 80 ST II no. 411a.
- 81 Two copies of DD 4: III no. 360 say that the letter was issued at Bohus, not at Dalaborg as previously assumed. Per-Axel Wiktorsson, “Var utfärdades den s k Dalaborgstraktaten?” *Arkiv för nordisk filologi* 1990, pp 178–80.
- 82 ST II no 411 b; DD 4: III, no. 361; SDHK, no. 13404.
- 83 ST vol. 2, part 2, no. 412 and 413; DD 4: III, no. 362, 376; SDHK, nos 13405, 13406, 13411; Schück 1976, pp 191 note 111, 201–203, 210; Engström 1925, p. 85; Fritz 1973, pp 51, 55, 134–135; Fritz and Odelman 1994, p. 9.
- 84 ST II no. 411 c; DD 4: III no. 363.
- 85 Wiktorsson 1990, pp 178–80.
- 86 Schück 2005, p. 89, also see pp 70–72.
- 87 Erik Kettilsson, Birger Ulfsson, Sten Bengtsson, Sten Stensson and Arvid Bengtsson were mentioned by name. ST II nr. 413; DD 4: III no. 376.
- 88 Schück 1976, pp 201–209; Schück 2005, p. 90.
- 89 DD 4: III, no. 362, stemma p. 340–341.
- 90 Ibid.
- 91 Similar copies may have been sent to all Swedish bishoprics, Thomas Riis, personal communication 29 April 2018.
- 92 Michael Linton, *Drottning Margareta: Fullmäktig fru och rätt husbonde: Studier i Kalmarunionens förhistoria*, Gothenburg 1971, pp 170–172.
- 93 ST II no. 411; DD 4: III no. 401. Schück 2005, p. 89.
- 94 Schück 2005, pp 89–90.
- 95 Algot Lindblom (ed.), *Akter rörande ärkebiskopsvalet i Uppsala 1432, samt striden därom mellan konung Erik och Svenska kyrkan*, Uppsala 1903, p. 16; Gottfrid Carlsson, *Senare medeltiden: Tidsskedet 1389–1448: Sveriges historia till våra dagar*, Stockholm 1941, p. 16; id., “På tröskeln til Kalmarunionen: Två undersökningar”, *Historisk tidskrift* (Stockholm) 1964, pp 258–259; Schück 1976, pp 195, 207; Schück 2005, p. 89.
- 96 Haug 1996, pp 108–115; Eldbjørg Haug, “Norge, arvekongedømmet og Kalmarunionen”, in *Grannar emellan*, ed. Kerstin Abukhanfusa, Stockholm 1997, p. 16; id. “Dynastiskiftet i 1380–90-årene og dannelsen av Kalmarunionen”, in *Konge, Adel og opprør. Kalmarunionen 600 år: Rapport fra Clio og Mars-seminaret på Forsvarsmuseet 2.–3. desember 1997*, ed. Knut Arstad, Oslo 1998, pp 55–56; Haug 2000, pp 122–133.
- 97 See footnote 72.
- 98 Schück 2005, p. 90.
- 99 On the age of Magnus Eriksson, see Eldbjørg Haug, “Om Magnus Erikssons kroninger og kildene til dem”, *Historisk Tidsskrift* (Oslo) 2018: 1, p. 36.
- 100 Eldbjørg Haug, “Erik av Pommerns norske kroning”, *Historisk tidsskrift* (Oslo) 1995: 1, pp 1–21.
- 101 Tor Weidling, personal communication 29 November 2016 with reference to Halvard Bjørkvik’s calculation of the crown estate.